

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22733 of 2018

Arising Out of PS.Case No. -259 Year- 2017 Thana -PANCHRUKHI District- SIWAN

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1. Tapan Kumar @ Sudhanshu Kumar Tapan S/o-Triloki Prasad, Resident +
Vill-Etwa, P.S.-Pachrukhi, Dist.-Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Ranjan

For the Opposite Party/s : Mr. Sri Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-06-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Pachrukhi P.S.Case no.259 of 2017, registered for offences punishable under Sections 341, 323, 324, 307, 504, 506/34 of the Indian Penal Code.

Allegation against the petitioner as per FIR is that father of the petitioner was irrigating water in his field and the water went inside the field of the informant also, due to which some altercation too place and co-accused Ramji Bhagat assaulted by spade and this petitioner assaulted by hockey stick to Madan Kumar.

Submission of the learned counsel for the petitioner is that there is no allegation of assault against the petitioner to the



deceased rather there is allegation of assault to Madan Kumar but no injury report of Madan Kumar is available on the record.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. VI, Siwan in connection with Pachrukhi P.S.Case no.259 of 2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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